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BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR (C.G.)

WRIT PETITION NO.2333 /2006 SINGLE BENCH

PETITIONER

Shiv Shankar Sahu, aged about 40 years, son of Shri Rangu Lal Sahu, Ex-ad-hoc Upper Division Teacher, Middle School – Kundel, Magar Road Block, Tah. Dhamtari, District Dhamtari (C.G.)

P.R. No. 2325/06 Presented by Shri A.N. Bhakta dated 21/5/06

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through – the Secretary, Department of School Education, D.K.S. Bhawan, Mantralay, Raipur (C.G.)
2. Director, Public Education Pension Bada, State of Chhattisgarh, Raipur
3. District Education Officer Dist. Education Dhamtari (Chhattisgarh)
4. The Secretary, Department of School Education, Vallabh Bhawan, Bhopal, Madhya Pradesh

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OATH COMMISSIONER APARNA MALVIYA CG-2073/96 30/04/06 Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 2333 of 2006

Petitioner : Shiv Shankar Sahu.

Versus

Respondents : State of Chhattisgarh and others

Shri A.N. Bhakta, counsel for the petitioner.

Shri G.K. Beriwal, Deputy Advocate General with Shri Satish Gupta, Deputy Government Advocate for the State.

ORDER

(8th May, 2006)

1. According to the petitioner, he was appointed as Upper Division Teacher on Ad-hoc basis at Middle School Mitimpur, Vikas Khand Magarlod, District Dhamtari from September 1981 to November 1982, January 1983 to March 1983.

2. The petitioner filed a petition before the State Administrative Tribunal, Jabalpur bearing O.A. No. 2554/1996. The Tribunal by its order dated 24.6.1997 (Annexure P-1) disposed of the petition with a direction to the respondents to scrutinize cases of each petitioner and if they were found eligible, they be considered for appointment.

3. The petitioner has filed this petition seeking implementation of the order dated 24.6.1997 passed by the State Administrative Tribunal in O.A. No. 2554/1996.

(17)

4. This petition has been filed on 30.4.2006 after a period of more than 8 years. The petitioner has not made out a case for condonation of unexplained, inordinate delay of more than 8 years. Rights of the parties and other similarly situated candidates must have been crystallized by this time.

5. It is further submitted that the petitioner has made several representations which could not evoke response from the respondents.

6. It is well settled principle of law in view of the decisions of the Supreme Court in the cases of **Jagdish Narain Maltiar Vs. The State of Bihar And Others,** (1973) 1 SCC 811, **P.S. Sadasivaswami Vs. State of Tamil Nadu,** (1975) 1 SCC 152, and **Karnataka Power Corporation Ltd Vs. ANR V.K. Thangappan & ANR,** 2006 AIR SCW 1828, that repeated representations cannot justify a belated approach to the Courts. Entertaining belated approach would unsettle the settled matters, and the same should be avoided.

7. For the reasons stated above, this petition is dismissed.

Sd/-
Satish K. Agnihotri
Judge

Asm